

Message Text

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PAGE 01 STATE 012785

42

ORIGIN COME-00

INFO OCT-01 ARA-16 EUR-25 EA-11 ISO-00 COA-02 EB-11 SCI-06

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TRSE-00 PA-04 PRS-01 USIA-15 NAS-01 /135 R

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FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA

AMEMBASSY TOKYO

AMEMBASSY MEXICO

AMEMBASSY MANAGUA

AMEMBASSY SAN JOSE

AMEMBASSY PANAMA

AMEMBASSY SEOUL

AMEMBASSY TAIPEI

AMEMBASSY QUITO

AMEMBASSY LIMA

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E. O. 11652: N/A

TAGS: EFIS

SUBJ: PROPOSED REGULATIONS FOR PROTECTION OF PORPOISE IN
TUNA SEINING

REF: DEPARTMENT'S CIRCULAR A-12024 OF DECEMBER 12, 1972;
STATE 208907; STATE 211498; STATE 216165 (NOTAL)

1. MARINE MAMMAL PROTECTION ACT OF 1972 REQUIRES USG TO
TAKE MEASURES TO REDUCE INCIDENTAL KILL AND INJURY OF POR-
POISES IN COURSE OF TUNA PURSE-SEINING, AND ALSO REQUIRES
USG TO ATTEMPT THROUGH INTER-AMERICAN TROPICAL TUNA COM-
MISSION (IATTC) TO PERSUADE OTHER GOVERNMENTS TO TAKE SIMI-
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PAGE 02 STATE 012785

LAR MEASURES TO SAVE PORPOISES WHILE ENGAGED IN SUCH FISHING

OPERATIONS.

2. AT 29TH MEETING OF IATTC, HELD IN WASHINGTON,D.C., NOVEMBER 12-16, 1973, US DISCUSSED PROPOSED RULES FOR U.S. FISHERMEN CONCERNING INCIDENTAL PORPOISE CATCH IN TUNA SEINING. COPIES OF PROPOSED REGULATIONS WERE DISTRIBUTED TO REPRESENTATIVES OF ALL MEMBER AND OBSERVER GOVERNMENTS. PROVISIONS OF PROPOSED RULES WERE EXPLAINED AND SPECIAL EMPHASIS WAS GIVEN TO PROVISIONS DEALING WITH IMPORTATION OF TUNA. MARINE MAMMAL ACT MAKES IT UNLAWFUL TO IMPORT

INTO U.S. ANY FISH CAUGHT IN A MANNER PROHIBITED FOR PERSONS SUBJECT TO JURISDICTION OF U.S., WHETHER OR NOT ANY MARINE MAMMALS WERE IN FACT TAKEN INCIDENTALLY TO CAPTURE OF FISH

3. AT IATTC MEETING, DELEGATIONS HAD OPPORTUNITY TO RAISE Q QUESTIONS AND MAKE COMMENTS CONCERNING PROPOSED RULES. SEVERAL DELEGATIONS, EITHER PUBLICLY OR PRIVATELY, NOTED THAT REGULATIONS COULD CAUSE SOME DIFFICULTIES SINCE THEY WERE SCHEDULED TO BECOME EFFECTIVE MARCH 1, 1974, LEAVING LITTLE TIME TO MEET U.S. IMPORT REQUIREMENTS. CHANGE IS NOW BEING CONSIDERED TO DELAY EFFECTIVE DATE TO APRIL 1. NEW PROPOSED REGULATIONS DUE TO BE PUBLISHED SOON; COPY WILL BE POUCHED WHEN AVAILABLE. ASIDE FROM LATER EFFECTIVE DATE, ONLY SIGNIFICANT CHANGE EXPECTED IN NEW VERSION OF REGULATIONS IS THAT, INSTEAD OF EXEMPTION FROM REGULATION FOR VESSELS UNDER 300 TONS, ALL PURSE-SEINE VESSELS WILL BE REQUIRED TO OBSERVE RULES.

4. ADDRESSEES ARE REQUESTED TO INFORM HOST GOVERNMENT OFFICES CONCERNED WITH IATTC AFFAIRS AND/OR TUNA TRADE OF PROBABLE CHANGES IN PROPOSED RULES AND THAT FINAL TEXT WILL BE SENT THEM WHEN PUBLISHED. PLEASE REPORT ANY REACTION TO THESE PROBABLE CHANGES, PARTICULARLY IN CONNECTION WITH APRIL 1 EFFECTIVE DATE. KISSINGER

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